EXCISE DEPARTMENT.

NOTIFICATION.

NOTICE OF SALE OF EXCISE AND OPIUM PRIVILEGES.

No. R. Dis 215-19, *dated* 29*th March* 1920.

Notice is hereby given that the exclusive privilege of selling, during the twelve months beginning 1st July 1920 and ending 30th June 1921, country liquors, intoxicating drugs, and opium in the several shops licensed for the purpose and situated in the several taluks of the Mysore State will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or other officers specially empowered by the Deputy Commissioners of the Districts concerned for the purpose, on the dates and at the Taluk or Sub-Taluk Head-quarter places mentioned in the schedule annexed, subject to the conditions hereinafter set forth :—

Note.—If the sales are not completed on the dates fixed they will be continued on the next following days, close holidays excepted.

2. A complete list of all the shops for which licenses will be granted and a copy of the general and special conditions applicable to all vend licenses under the Excise and Opium laws as prescribed by Government in their Notification No. 9208—Ex. 14-18-9, dated 13th February 1920, and published in the *Mysore Gazette* are available for the information of intending bidders in the Range and Taluk Offices.

CONDITION OF AUCTION SALE.

I. A deposit must be made by each bidder previous to bidding and will be received *by the selling officer on the day of sale.* A deposit of Rs. 50 will ordinarily be required from any person wishing to bid for any important shop or any large number of shops. This will be reduced to Rs. 20 in the case of bidders for not more than two or three shops of an aggregate monthly value of Rs. 150 or less and to Rs. 5 in the case of bidders for single small shops. In the case of shops whose average monthly rental is very small, the selling officer may fix such other reasonable amount as he may deem fit.

II. The shops will be put up to auction in the order in which they are notified in the schedule unless the selling officer sees reason to change that order. Upset prices will be fixed at the discretion of the selling officer. The rentals and the consumption of the previous three years will be notified for the information of bidders.

Note 1.—The privilege of vending toddy in any Coffee Estate or kan may be sold to the Planter or kan-holder for any fixed amount not less than Rs. 36 per shop per annum.

Note 2.—Toddy shops in alienated villages whose claims to the Excise revenue from toddy have been recognized or have not yet been settled shall invariably be sold separately and the amounts connected therewith shall be shown in the accounts under a distinct head.

III. Every shop should, as a rule, be sold independently. Grouping should be resorted to only under very exceptional circumstances limiting the number of shops so grouped strictly to the necessity of the occasion.

IV. No person will be allowed to bid for another unless he holds a power-of-attorney, from him.

V. No shops will be knocked down in the name of two or more persons unless they represent a duly recognized company or firm by means of a power-of-attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

VI. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or in arrears to Government or to prevent arrangements to the detriment of Government interests, or for any other valid reason. He may also refuse any bid which he may consider to be purely speculative after recording his reasons for doing so. Village officers will not be allowed to bid for or to have any pecuniary interest in shops for the sale of intoxicants within the limits of their villages.

VII. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty

to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an acceptance of the bid unless revised by the Government on the advice of the Excise Commissioner for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

VIII. In cases of dispute at the time of auction, the selling officer's decision shall be final; and if for any reason the highest bid is rejected, the next highest shall be taken or the shop resold at his discretion.

IX. Shops remaining unsold at the first auction shall ordinarily be disposed of by re-auction or by tender or otherwise at the discretion of the Deputy Commissioner later on.

X. At the close of each day's sale, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit* which together with the initial deposit made under condition II will make up one month's khist for each shop. Should he fail to do so, the deposit made by him under condition II will be forfeited and the shops will be put up again immediately to auction by the selling officer on the above conditions or otherwise disposed of by the Deputy Commissioner, and the defaulter will be debarred from bidding again for the same or for any other shop. In the case of foreigners, the initial deposit together with the further deposit may be raised equal to two months' khist. Successful bidders shall be granted proper receipts for the amount deposited by them.

XI. Persons to whom shops have been knocked down and who have made deposits as provided in conditions II and XI shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and they shall also deposit* such further sum as with the former deposits will make up two months' rent. Such deposit should be paid into Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of the purchaser's death after signing the agreement, it will be binding on his heirs and assigns.

XII. If, on enquiry subsequent to sale, the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State, he may be required either to deposit twice the sum prescribed in condition XII *supra* or to get a surety, or sureties, residents of and possessing sufficient property in the Mysore State, to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation, II of 1900) and also registered at the expense of the purchaser, if the amount secured exceeds Rs. 1,000.

XIII. As soon as the sales are over, the sale conducting officer shall forward a list of successful bidders with his remarks to the Deputy Commissioner for confirmation of the sales.

XIV. On the failure of any person to make deposit under condition XII or to comply with the requisition under condition XIII *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made shall be forfeited and the shop promptly be resold or otherwise disposed of at the discretion of the Deputy Commissioner.

XV. Re-sales effected under condition XV will be at the risk of the defaulting bidder who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposits will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of

* Deposits may be in cash or other approved security.

otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

XVI. The deposit referred to in condition XI or condition XII, as the case may be, will be taken as security for the due performance of the conditions of the license. It will be returned to the licensee after the expiry of the period of his lease and after adjustment from it of any dues payable by him to Government.

XVII. The purchaser shall adhere to all the provisions of the Excise and Opium laws which are in force or which may come into force and of the rules which have been or may from time to time be framed either by Government or by the Excise Commissioner or by any competent authority.

The rates of duty, etc., on the several kinds of Excisable articles are as follows:—

	Duty Rs. a. p.	
1. Arrack 35° U. P.	6 0 0	For Bangalore City area.
	5 4 0	For other places.
2. Jaggory Arrack 35° U. P.	6 0 0	
3. Special Liquors 20° U. P.	7 6 2	
but for milk punch	4 5 6	
4. Ganja	17 8 0	Per seer of 80 tolas.
5. Opium	50 0 0	Do
6. Country Beer	0 4 6	Per gallon.
Rates of tree tax per tree per annum.		
7. Date Toddy	2 4 0	
Cocoanut	6 0 0	
Palmyra	2 0 0	
Bagani	2 0 0	
Dadsal	1 0 0	

Note.—The price at which the licensees have to purchase country liquors from the Treasuries will be notified on the dates of sales. Ganja will be sold to licensees at Rs. 1-8-0 per seer of 80 tolas.

Note.—

(1) The rates of Railway cess and items on which it can be levied, as contemplated in clause III (27) of the Notification No. 9208—Ex. 14-18-9, dated 13th February 1920, are as follows:—

Kind	*Items*	*Districts*	*Rates per rupee* Rs. a. p.
Toddy	Tree tax, tree rent and shop rent.	Tumkur	...
		Mysore	0 0 3
Special Liquor		Shimoga	0 0 3
Arrack, Ganja, Majum and Beer.	Duty	Chitaldrug	0 0 6
		Kolar	
		Kadur	

(2) The maximum quantity of Excisable articles that can be possessed or permitted to be removed by any person at any one time from any licensed premises without a valid permit as contemplated in clause III (21) of the said notification is limited to—

(1) Arrack and other country spirits, one reputed quart.
(2) Toddy, four imperial quarts.
(3) Ganja, four tolas.
(4) Opium, one tola.
(5) Foreign liquor, two gallons.

(3) The maximum and minimum prices for the retail vend of liquors or intoxicating drugs contemplated in clause III (20) are noted below:—

(1) Arrack 35° U. P. Minimum price 2 annas 4 pies per dram except the Cities of Bangalore and Mysore and on the Kolar Gold Fields where the minimum rate shall be 3 annas 4 pies a dram.
(2) Ganja. Minimum selling price at 0-4-0 per tola.
(3) Opium. The vendor may fix his own selling price.
(4) Toddy. Minimum price as notified in the schedule.

(1) In the case of arrack, the retail vend rate in the Cities of Bangalore and Mysore and on the Kolar Gold Fields, is fixed as follows:—

	Minimum retail.
(a) Bangalore City, Kolar Gold Fields and Mysore City	... 0 3 4 per dram.

The licensees of shops in other places of the State will be at liberty to fix their own selling prices, which shall not however be less than the minimum rate of 0-2-4 per dram.

(2) The minimum retail rate at which special liquor should be sold by licensees will be announced at the time of the auction sales.

(3) Power is reserved to the Deputy Commissioner, Shimoga District, to open with the approval of the Excise Commissioner, arrack shops in centres of illicit distillation where arrack will be sold at not less than the minimum retail rate of 2 annas 4 pies per dram, under special conditions to be specified later on.

No arrack, Foreign Liquor or Beer shop shall be opened before 9-30 A.M., and no other kind of shop before sunrise and no depot or shop shall be kept open on any plea after 8 P.M.

In places where both arrack and Special Liquor shops exist the privilege of selling bottled Jaggory arrack either in Special liquor or ordinary arrack shop, as the case may be, will be disposed of by the Deputy Commissioner by getting only the Special liquor licensee and the arrack licensee to bid for the privilege of selling Jaggory Arrack.

SCHEDULE.

Dates of sales.

District	Taluk	Date	District	Taluk	Date
Bangalore ...	Bangalore* ...	15th April 1920	Mysore ...	Mysore ...	14th April 1920
	Anekal ...	17th ,,		Heggaddevankote	17th ,,
	Kankanhalli ...	21st ,,		Gundlupet ...	20th ,,
	Channapatna ...	24th ,,		Chamrajnagar ...	22nd ,,
	Magadi ...	27th ,,		Yelandur ...	24th ,,
	Nelamangala ...	30th ,,		Nanjangud ...	26th ,,
	Dodballapur ...	5th May 1920.		T.-Narsipur ...	29th ,,
	Devanhalli ...	7th ,,		Malvalli ...	1st May 1920.
	Hoskote ...	10th ,,		Mandya ...	5th ,,
				Nagamangala ...	7th ,,
Kolar ...	Malur ...	14th April 1920.		Krishnarajpete ...	10th ,,
	Goribidnur ...	19th ,,		Seringapatam ...	12th ,,
	Chikballapur ...	22nd ,,		Hunsur ...	15th ,,
	Bagepalli ...	24th ,,		Yedatore ...	17th ,,
	Sidlaghatta ...	27th ,,	Hassan ...	Channarayapatna.	15th April 1920.
	Chintamani ...	29th ,,		Arsikere ...	17th ,,
	Srinivaspur ...	1st May 1920.		Belur ...	22nd ,,
	Mulbagal ...	5th ,,		Hassan ...	26th ,,
	Kolar ...	8th ,,		Saklespur ...	30th ,,
	Bowringpet ...	11th ,,		Arkalgud ...	5th May 1920.
				Hole-Narsipur ...	8th ,,
Tumkur ...					
	Tumkur ...	19th April 1920.	Kadur ...	Kadur ...	15th April 1920.
	Kunigal ...	21st ,,		Tarikere ...	17th ,,
	Gubbi ...	24th ,,		Narasimharaja-pura.	19th ,,
	Tiptur ...	26th ,,			
	Chiknayakanhalli.	28th ,,		Koppa ...	21st ,,
	Sira ...	1st May 1920.		Sringeri ...	22nd ,,
	Maddagiri ...	5th ,,		Mudgere. ...	26th ,,
	Pavagada ...	8th ,,		Chikmagalur ...	30th ,,
Shimoga ...					
			Chitaldrug ...	Hosdurga ...	19th April 1920.
	Tirthahalli ...	15th April 1920.		Holalkere ...	21st ,,
	Kallurkatte ...	19th ,,		Davangere ...	24th ,,
	Sagar ...	22nd ,,		Jagalur ...	27th ,,
	Sorab ...	24th ,,		Chitaldrug ...	30th ,,
	Shikarpur ...	27th ,,		Hiriyur ...	5th May 1920.
	Honnali ...	30th ,,		Challakere ...	8th ,,
	Channagiri ...	5th May 1920.		Molakalmuru ...	12th ,,
	Shimoga ...	8th ,,			

NOTE.—Sales will be held in the respective Taluk Cutcherries.

NOTE.—*Arrack shops in the Bangalore City will be disposed of separately.

M. A. NARAYANAIENGAR,
Offg. Excise Commissioner in Mysore.